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Attorney for Defendant
MICHAEL ANDREW GILL

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	NO. 1:97-Mj-02292
)	
Plaintiff,)	STIPULATION TO VACATE VIOLATION
)	HEARING AND SCHEDULE STATUS
v.)	CONFERENCE AND ORDER THEREON
)	
MICHAEL ANDREW GILL,)	Date: May 18, 2005
)	Time: 10:30 a.m.
Defendant.)	Judge: To Be Determined
_____)	

IT IS HEREBY STIPULATED by and between the parties hereto through their respective counsel, STANLEY A. BOONE , Assistant United States Attorney, Counsel for Plaintiff, and ERIC V. KERSTEN, Assistant Federal Defender, Counsel for Defendant Michael Andrew Gill, that the violation hearing scheduled for May 3, 2005 may be vacated and a status conference may be scheduled for May 18, 2005. **The date presently set for violation hearing is May 2, 2005. The requested date for status conference is May 18, 2005, at 10:30 a.m.**

This request is made for the reason that Mr. Gill, who resides in the state of Tennessee, is suffering health problems which may limit his ability to travel and prevent him from appearing in California on the currently scheduled violation hearing date. It is requested that a status conference be set for the scheduling of a new violation hearing date at a time Mr. Gill' s physical problems are more clearly determined.

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1 The parties agree that the delay resulting from the continuance shall be excluded in the interests
2 of justice, including but not limited to, the need for the period of time set forth herein for effective
3 defense preparation pursuant to 18 U.S.C. § 3161(h)(8)(B)(iv).

4 McGREGOR W. SCOTT
United States Attorney

5 AUSA Gappa has approved of his
6 electronic signature being placed here

7 DATED: April 22, 2005

By /s/ David A. Gappa
DAVID A. GAPPA

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10 QUIN DENVIR
Federal Public Defender

11
12 DATED: April 22, 2005

By /s/ Eric V. Kersten
ERIC V. KERSTEN
Assistant Federal Defender
Attorney for Defendant
Michael Andrew Gill

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18 The intervening period of delay is excluded in the interests of justice pursuant to 18 U.S.C. §
19 3161(h)(8)(B)(iv).

20 IT IS SO ORDERED.

21 **Dated:** May 2, 2005
b9ed48

/s/ Lawrence J. O'Neill
UNITED STATES MAGISTRATE JUDGE